

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ALASKA

APPLICATION AND AFFIDAVIT FOR SEARCH WARRANT

I, Nelson Y. Rivera, United States Postal Inspector, do hereby swear and affirm the following facts as being true to the best of my knowledge, information, and belief:

1. I am a Postal Inspector with the United States Postal Inspection Service (USPIS) and have been so employed since February, 2012. I am currently assigned to the Seattle Division, Prohibited Mail Narcotics Team, where I investigate controlled substances transported via the United States Mail, in violation of Title 21, United States Code, Sections 841(a)(1), 843(b), and substances mailed in violation of Title 18, United States Code, Section 1716. I completed a twelve week Basic Inspector Training course in Potomac, Maryland, which included training regarding transportation of narcotics via the U.S. mails. In September 2012, I completed one week long Prohibited Mailings Narcotics training at the USPIS training center in Dallas, Texas. At that training, subject matter experts taught current trafficking trends and suspicious parcels recognition. Prior to becoming a Postal Inspector, I served as an Officer in the United States Coast Guard for 14 years. I completed a six week Basic Boarding Officer course in 2004 at the Federal Law Enforcement Training Center in Charleston. I worked in maritime narcotics interdictions for six years. I hold a Bachelor of Science degree from the University of Puerto Rico in Biology.

2. Based on my experience, training and discussions with other law enforcement officers experienced in drug investigations, I know that certain indicators exist when persons use the United States Mails to ship controlled substances from one location to another. Indicators for parcels that contain controlled substances include, but are not limited to the following:
 - a. It is a common practice for the shippers of controlled substances and proceeds of the sale of controlled substances to use Express Mail because the drugs arrive faster and on a predictable date, and this system allows shippers to keep track of the shipment. With regards to Express Mail parcels, shippers pay for the benefit of being able to confirm the delivery of the parcel by checking the U.S. Postal Service Internet Website and/or calling a toll free number.
 - b. These parcels in many instances contain a fictitious return address, incomplete return address, no return address, the return address is same as the addressee address, or the return address does not match the place where the parcel was mailed from. These packages are also sometimes addressed to or from a commercial mail receiving agency (i.e., UPS Store). These address practices are used by narcotics traffickers to hide the true identity of the person(s) shipping and/or receiving the controlled substances from law enforcement officials.
 - c. In order to conceal the distinctive smell of controlled substances

from narcotic detector dogs, these packages tend to be wrapped excessively in bubble-pack and wrapping plastic, and are sometimes sealed with the use of tape around all the seams. Also, the parcels often contain other parcels which are carefully sealed to prevent the escape of odors. Sometimes perfumes, coffee, dryer sheets, tobacco or other smelling substances are used to mask the odor of the controlled substances being shipped.

- d. When the shipper mails controlled substances from a particular area/state, the proceeds from the sale of these controlled substances may be returned to the shipper. Based on experience and discussions, there are known source states, where controlled substances are mailed from, including California, Oregon, Washington, Arizona and Texas.
- e. I know from training and discussions with other law enforcement officers that the following controlled substances are likely to be found during parcel interdictions: marijuana, methamphetamine, cocaine, LSD, psilocybin mushrooms, heroin, opium, and MDMA.

- 3. In this warrant application, I seek this Court's authority to search this Express Mail parcel bearing USPS tracking number EI 456837405 US, which is described in greater detail below, for controlled substances in violation of Title 21 U.S.C. Sections 841(a)(1) and 843(b) and Title 18 U.S.C. Section 1716.

RELEVANT FACTS PERTAINING TO EXPRESS MAIL PARCEL EI 456837405 US

4. On July 8, 2013, the Express Parcel EI 456837405 US that is the subject of this search warrant affidavit (hereinafter referred to as the subject parcel), was identified by a Postal Inspector during a Southeast Alaska interdiction as a parcel containing several characteristics of parcels containing narcotics. The parcel is address to Raymond Pouliot, PO Box 2264, Sitka AK 99835. A photocopy of the label for the subject parcel is attached as **Exhibit 1**. This address is currently under watch by the Postal Inspection service due to the relationship to a seizure of brown tar heroin on June 17, 2013. The sender for the parcel is listed as Melissa Jennings, 1106 SW Chickadee Terrace, Beaverton OR, 97007. The subject parcel is an Express Mail flat rate envelope measuring 12 1/2" x 9 1/2", weighs approximately 10.9 ounces and bears a handwritten sender and addressee information on its label. The subject parcel is affixed with a Postal Validation Imprinter (PVI) sticker in the amount of \$19.99, and was mailed February 4, 2014 from Portland, OR 97238.
5. This parcel met several characteristics that the drug traffickers use to prevent the detection of drugs being shipped through the mail. For this parcel, these characteristics included, but are not limited to:
 - a. False return address. (Per Accurant, a law enforcement search database, there is a no record for a Melissa Jennings residing at 11065 SW Chickadee Terrace in Beaverton OR 97007. The data provided by Accurant is a combination of records from different data sources which are updated daily, weekly, monthly, and annually, depending on the particular data source.

- b. The intended recipient is Raymond Pouliot is not associated with address PO Box 2264 Sitka AK 99835. In June 17, 2013 postal inspectors seized a parcel originating in Beaverton shipped to the same address (PO Box 2264). Inside that envelope inspectors found approximately 311 grams of brown tar heroin.
 - c. Sent from a known narcotics source state. (Oregon is a known source for narcotics, see Paragraph 2.c)
6. On February 4, 2014 narcotics K-9 Pedro was applied to the subject parcel. Pedro alerted to the presence of the scent of narcotics on the subject parcel. An affidavit with Pedro's training and experience is attached as Exhibit 2.
7. Based on my training and experience as a Postal Inspector and the aforementioned factors, your affiant believes there is probable cause to believe that the subject package contains controlled substances, and/or other evidence of violations of Title 21, United States Code, Sections 841(a)(1) and 843(b), and Title 18, United States Code, Section 1716

FURTHER AFFIANT SAYETH NAUGHT.

Signature Redacted

Nelson Y. Rivera
Postal Inspector

Subscribed and sworn to
before me, this 5th day of
February 2014.

Signature Redacted

U.S. MAGISTRATE JUDGE



**U.S. Customs and Border Protection
Department of Homeland Security**

Canine Enforcement Office

19339 28th Ave S., Bldg D

SeaTac, WA 98188

AFFIDAVIT

I, Adam J. Chavez, am a Canine Officer with U.S. Customs and Border Protection, assigned to the Seattle-Tacoma area. My assigned canine "Pedro" CH-62 was initially certified with me at the Customs and Border Protection's Canine Center of Front Royal in October of 2008 after successfully completing the U.S. Customs and Border Protection detection canine training academy. Canine "Pedro" was trained to detect the odors of cocaine, marijuana, heroin, methamphetamine, hashish, ecstasy, and their derivatives. I and canine "Pedro" maintain our annual certification through the Customs and Border Protection regulations. This certification is a comprehensive test designed to measure the ability of the dog and the handler in searching for and indicating the presence of controlled substances. This certification consists of searches administered in different environments with a variety of distractions and is designed to duplicate actual field conditions which may be encountered by the canine team. Canine "Pedro" must pass 12 of the 12 controlled finds which equates to a 100% accuracy.

I and canine "Pedro" participate in maintenance training which is no less than 16 hours per month. On-going training includes:

- Training in all areas of interdiction, such as vehicles, boats, schools, currency, parcels and mail, airports, bus and bus depots, storage units, residences, motels, apartments, etc;
- Training on various quantities of controlled substances, ranging from grams to pounds;
- Training on controlled negative (blank) testing, in which all objects or locations have no contraband present;
- Conflict training, which proofs the dog and prevents him from alerting to common items associated with controlled substances, such as plastic bags, etc., and/or reward objects or toys.

CBP maintains training records of the on-going training. All training records and certifications are constantly maintained and up to date and current. The dogs are given a rating at each training day that is maintained for 90 days. The ratings for each training day are based on unsatisfactory, poor, fair, average, good, or excellent performance. Canine "Pedro" has maintained a rating of "Good" over the last 90 days. Canine "Pedro" is trained with a positive response/indication (scratching or biting), with a rolled up towel being his reward. "Pedro's" last certification was May 2nd, 2013.

TRADITION

★

SERVICE

★

HONOR

On February 5, 2014 at 0744hrs at the Seattle Processing and Delivery Center located at 10700 27th Ave. S., Tukwila, WA 98168. CBP Officer K-9 Chavez along with K-9 Pedro

(CH62) searched five packages, four controlled packages and one suspect package. K-9 Pedro alerted to United States Postal Service (USPS) parcel Express Mail EI456837405US which was in position #4. The parcel was mailed from Portland, OR 97238 on February 4, 2014. The USPS parcel is being shipped from "Melissa Jennings 11065 SW Chickadee Terrace, Beaverton, OR 97007" to "Raymond Pouliot, P.O. Box 2264, Sitka, AK 99835."

Narcotic Detector Dogs within U.S. Customs and Border Protection are required to recertify yearly. Additionally, these canines are required to perform 8 hours of training in every 2 week pay period, along with the training conducted during the normal workday, which consists of two or more training exercises. This is to ensure that the Narcotic Detector dogs maintain their level of proficiency in the detection of the above stated narcotics.

I have been a Canine Officer since April 1991.


Signature Redacted

Date

2/5/14

Adam J. Chavez
U.S. Customs and Border Protection
Seattle, WA
(206) 396-1817 cell
(206) 870-1787 fax
adam.j.chavez@cbp.dhs.gov

PLEASE

PLEASE DELIVER PER DMM 263.2

REQUIREMENT

USE ONLINE - Go to usps.com/post

PLEASE



1007



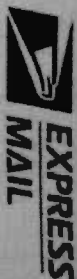
U.S. POSTAGE
PORTLAND, OR
FEB 04
PM 04
HOLDING

\$19.99
0006307-18



Flat Rate
A Million Uses and Counting

EI 456837405 US



UNITED STATES POSTAL SERVICE

Post Office To Addressee

Mailing Label
Label 1-8, March 2004

Place Mailing

PRESS HARD. YOU ARE MAKING 3 COPIES.

ORIGIN (POSTAL SERVICE USE ONLY)		Day of Delivery		Postage	
PO Zip Code	97238	<input checked="" type="checkbox"/> Next Day <input type="checkbox"/> Second Day		\$	19.91
Date Accepted	2-4-14	Scheduled Date of Delivery	Monday 2-4-14	Return Receipt Fee	\$
Time Accepted	20:28 PM	Scheduled Time of Delivery	9 PM	Insurance Fee	\$
Flat Rate <input type="checkbox"/> or Weight <input checked="" type="checkbox"/>	10.9 lbs.	Military <input type="checkbox"/> Non-Military <input checked="" type="checkbox"/>		Total Postage & Fees	\$ 19.91
Int'l Alpha Country Code		2nd Day <input type="checkbox"/> 3rd Day <input type="checkbox"/>		Acceptance Emp. Initials	(Signature)
FROM: PLEASE PRINT		PHONE	A71 217-8449		
Melissa Jennings					
11065 SW Chickadee Terrace					
Beaverton, OR 97007					

FOR PICKUP OR TRACKING
Visit www.usps.com
Call 1-800-222-1811



DELIVERY (POSTAL SERVICE USE ONLY)		Employee Signature	
Delivery Address		Employee Signature	
Delivery Date		Employee Signature	
Delivery Time		Employee Signature	
Delivery Day		Employee Signature	
Delivery City		Employee Signature	
Delivery State		Employee Signature	
Delivery Zip		Employee Signature	

CUSTOMER USE ONLY	
PAYMENT BY ACCOUNT	
Express Mail Corporate Acct. No.	
Federal Agency Acct. No. or Postal Service Acct. No.	
NO DELIVERY <input type="checkbox"/> <input checked="" type="checkbox"/> Delivery Signature	
TO: PLEASE PRINT	
Raymond D Pouliot	
P.O. Box 2264	
Sitka, AK 99835	
PHONE 907 738-3445	

ZIP + 4 U.S. ADDRESS ONLY. DO NOT USE FOR FOREIGN POSTAL. (OPTIONAL)
FOR INTERNATIONAL CERTIFICATION, VISIT usps.com.

99835 +

used internationally
Customs declarations
on 2976, or 2976a.